

City of Detroit

CITY COUNCIL

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TO: The Honorable City Council

FROM: David Whitaker
Julianne Pastula

DATE: July 19, 2006

RE: **LAWSUITS BETWEEN MANUEL MAROUN AND THE CITY OF DETROIT**

At the Honorable City Council's request, the Research & Analysis Division (RAD) submits the following report regarding pending lawsuits between Mr. Manuel Maroun and the City of Detroit.

Please note that RAD's research has not revealed any lawsuits between Mr. Maroun, individually, and the City of Detroit. There is ongoing litigation between The Ambassador Bridge Company and the City of Detroit. A decision is currently pending from the Michigan Court of Appeals¹.

The City is appealing a Wayne County Circuit Court declaratory judgment². This appeal was filed on August 16, 2004, and consolidated in April 2005 with an appeal³ that was also filed by the City of Detroit from an Order dismissing the Wayne County Circuit Court action⁴. The second appeal was filed after the lower court dismissed the City's appeal of a Board of Zoning Appeals decision. The two appeals are from separate lower court judgments of cases filed in 2001⁵ stemming from the same zoning matter. Therefore, the forthcoming Court of Appeals decision will address both cases.

RAD recommends that this Honorable Body request the Law Department to provide further information relative to the lower court cases, its impressions of the oral arguments before the Court of Appeals as well as other relevant information such as the history of litigation between the City of Detroit and the Detroit International Bridge Company or any other entity controlled by Mr. Manuel Maroun⁶. Additionally, information regarding the current zoning issues with the Ambassador Bridge Company could be obtained from the Planning & Development Department and the City Planning Commission.

¹ Oral argument was held in Lansing on April 11, 2006.

² City of Detroit v. Ambassador Bridge, case no. 01-106546-CZ. An appeal was also filed in this case after the lower court entered an interim order of partial declaratory judgment and injunctive relief against the City. The Court of Appeals issued an Order Denying the Application for Leave to Appeal on December 5, 2001.

³ Michigan Court of Appeals case no. 257639, filed August 17, 2004.

⁴ Detroit International Bridge Company v. City of Detroit, case no. 01-123461-AV.

⁵ Orders of Dismissal were entered in both cases on July 27, 2004.

⁶ Such as Cen-Tra Trucking or Control Terminals, Inc.